

BETH CREIGHTON, OSB #972440  
[beth@civilrightspdx.com](mailto:beth@civilrightspdx.com)  
MICHAEL E. ROSE, OSB #753221  
[mrose@civilrightspdx.com](mailto:mrose@civilrightspdx.com)  
LAURA KOISTINEN, OSB #175123  
[laura@civilrightspdx.com](mailto:laura@civilrightspdx.com)  
CREIGHTON & ROSE, P.C.  
300 Powers Building  
65 S.W. Yamhill Street  
Portland, Oregon 97204  
Phone: (503) 221-1792  
Fax: (503) 223-1516  
Of Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**CYNTHIA E. RHOADES,**

Case No. 3:18-cv-00123-SB

Plaintiff,

vs.

**STATE OF OREGON DEPARTMENT OF  
JUSTICE,**

**DECLARATION OF COUNSEL  
IN SUPPORT OF PLAINTIFF'S  
UNOPPOSED MOTION TO EXTEND  
DISCOVERY DEADLINES**

Defendant.

I, Beth Creighton, declare as follows:

1. I am counsel for plaintiff in the above-referenced case.
2. Plaintiff moves for an order extending the current discovery deadline by 90 days, from April 6, 2021, (Dkt. No. 63) to July 6, 2021.
3. The protracted COVID-19 pandemic has slowed down progress in this case as a result of diminished staff availability and remote-work technical challenges which Plaintiff's firm has had to adjust to and manage.
4. Defendant filed 3 motions to dismiss (Dkts Nos. 12, 23 and 38), considerably delaying discovery in this case.

5. Defendant additionally filed a motion to dismiss in the Multnomah County Circuit Court companion case, *Rhoades vs. State of Oregon, et al.*, Case No. 19CV39334.

6. Plaintiff has served discovery requests to Defendant in the present case and Defendant has responded. Just last week, Defendant has produced documents related to those requests.

7. Additional time is needed to conduct discovery document exchanges and analyses, serve follow-up discovery requests and file motions to compel if necessary, and conduct depositions. We anticipate scheduling depositions in the upcoming weeks.

8. After conferral, the parties have reached out to Judge Kasubhai to assist in a settlement conference and are awaiting his available dates.

9. For these reasons, Plaintiff is requesting an additional 90 days to complete discovery.

10. Trial dates in the present case have not been set.

11. I have conferred with counsel for Defendant, who does not oppose this motion.

12. I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 7<sup>th</sup> day of April, 2021.

CREIGHTON & ROSE, PC

s/ Beth Creighton  
BETH CREIGHTON, OSB #972440  
beth@civilrightspdx.com  
Of Attorneys for Plaintiff